

### **REMARKS**

Claims 1, 2, 4, 5, 7-9, and 11-13 are now pending in the application. Claims 1, 2, and 7-9 are currently amended. Claim 10 is cancelled and Claims 11-13 are new. Support for the foregoing amendment can be found throughout the specification, drawings, and claims as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **CLAIM OBJECTIONS**

Claim 7 is objected to because of certain informalities. Appropriate correction having been made, Applicants request the objection be withdrawn.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 1, 7, and 10 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. Claim 10 having been cancelled, and Claims 1 and 7 having been amended, Applicants request reconsideration and withdrawal of the rejection.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 7 and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Shanks (U.S. Pat. Pub. No. 2002/0152044). This rejection is respectfully traversed.

Claim 7 includes technical features of Claim 1. Therefore, Applicant believes that Claim 7 should be allowed if Claim 1 is allowed. Claim 10 has been cancelled and Claim 11 is a new claim including technical features of Claims 2 and 7. Accordingly, Applicant submits that Claim 7 should be in condition for allowance.

**REJECTION UNDER 35 U.S.C. § 103**

Claims 8 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shanks (U.S. Pat. Pub. No. 2002/0152044) ("Shanks"). This rejection is respectfully traversed.

Claims 8 and 9 include technical features of Claim 1. Therefore, Applicant believes that Claims 8 and 9 should be allowed if Claim 1 is allowed. Please note that Claim 12 is a new claim including technical features of Claims 2 and 8, and Claim 13 is a new claim including the technical features of Claims 2 and 9. Therefore, it is respectfully submitted that these claims defines patentable subject matter over Shanks. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claims 1, 2, 4, 5, and 7-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ng (U.S. Pat. Pub. No. 2003/0011474) ("Ng") in view of Shanks and Balme (U.S. Pat. No. 4,373,154) ("Balme"). This rejection is respectfully traversed.

First, Balme discloses a technique of recording and reproducing data on magnetic medium such as a magnetic tape. Therefore, the technique disclosed in Balme is significantly different from wireless communication that is a technical field of the present application.

Second, Balme does not mention or suggest applying the technical feature of Balme to the wireless communication. In addition, Shanks and Ng do not suggest or mention the magnetic medium. Therefore, a person skilled in the art cannot combine Shanks, Ng, and Balme because there is not motivation to combine them.

Therefore, Applicant believes that it is not possible to combine Shanks, Ng and Balme, and it is not possible to conceive the present application by referring to these references.

The Examiner states that Claim 1 has been obvious to one of ordinary skill in the art in reference to Ng, Shanks and Balme. However, Applicant respectfully disagrees. As described below, the present application solves technical problems that are not mentioned and suggested in the reference documents.

First, the present application has the objective of solving a technical problem.

Page 6, lines 12-16, of the Specification states:

However, when assigning the codes "0" and "1" to each of the waveforms A and B independently, as shown in FIG. 14, when the waveforms B continue in succession, a rising state transition occurs at the junction between the two waveforms B, and thus there are problems in that associating the rising timing with one unit of data is difficult, and the transmission efficiency due to the encoding declines.

Even by combining Shanks and Balme, it is not possible to solve such a technical problem. Shanks and Balme do not suggest or mention such a problem. In addition, the waveforms disclosed in Shanks and Balme cannot solve such a technical problem.

Ng, Shanks and Balme do not suggest or disclose the first, second and third waveforms described in Claim 1. The Examiner states that Balme teaches "using a waveform to correspond to a succession code." However, Balme (Ng and Shanks)

does not suggest or disclose a technical problem. As stated on page 6, lines 12-16, of the Specification:

However, when assigning the codes “0” and “1” to each of the waveforms A and B independently, as shown in FIG. 14, when the waveforms B continue in succession, a rising state transition occurs at the junction between the two waveforms B, and thus there are problems in that associating the rising timing with one unit of data is difficult, and the transmission efficiency due to the encoding declines. [Emphasis added.]

By “using a waveform to correspond to a succession code,” it is not possible to solve such a technical problem. Therefore, even when Balme (Ng and Shanks) is introduced, it is not possible to solve such a technical problem.

As described above, the present application solves technical problems that are not mentioned and suggested in the references and that are not solved by the references. Therefore, Applicant believes that the present application should be allowed.

As described above, Applicant believes that Claim 1 should be allowed. The remaining Claims should also be allowed because they depend on Claim 1 or include technical features of Claim 1.

Therefore, it is respectfully submitted that claims 1, 2, 4, 5, and 7-9 define patentable subject matter over the combination of Ng, Shanks, and Balme. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

## **CONCLUSION**

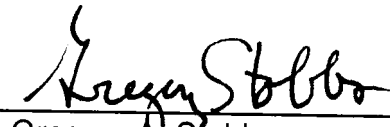
It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is

believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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